

ORIGINAL

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
Logan, Utah)

MM Docket No. 98-211
RM-9349

COMMENTS AND COUNTERPROPOSAL

M. Kent Frandsen hereby submits his comments, and counterproposal to the above-referenced proposed allotment at Logan, Utah. As set forth below, in lieu of the allotment at

Logan, Mr. Frandsen instead requests that Channel 252C2 be allotted to Evanston, Wyoming. Mr. Frandsen commits to apply for this channel if allotted, and to build the station if it is awarded to him.

Logan already is served by two AM and two FM stations. In contrast, Evanston a community of 10,903 persons, has only one AM and one FM station.

Therefore, Mr. Frandsen requests the allotment of Channel 252C2 at Evanston. An engineering study demonstrating that this channel can meet all applicable mileage separation requirements at Evanston is attached.

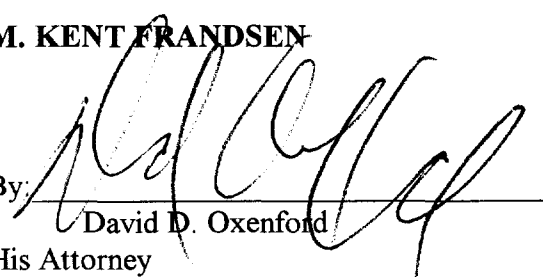
Mr. Frandsen thus respectfully requests that this channel allotment be made.

FISHER WAYLAND COOPER LEADER
& ZARAGOZA L.L.P.
2001 Pennsylvania Avenue, N.W.
Suite 400
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(202) 659-3494

Dated: January 25, 1999

Respectfully submitted,

M. KENT FRANDSEN

By: 
David D. Oxenford
His Attorney

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TECHNICAL EXHIBIT
IN SUPPORT OF
COMMENTS AND A COUNTERPROPOSAL
IN MM DOCKET NO. 98-211
EVANSTON, WYOMING

Technical Narrative

This technical narrative and associated exhibits were prepared in support of a comments and a counterproposal in MM Docket No. 98-211 (Docket). In the Notice of Proposed Rulemaking in MM Docket No. 98-211, the FCC proposed the allotment of channel 252C2 (98.3 MHz) at Logan, Utah. This counterproposal is for channel 252C2 at Evanston, Wyoming.

Proposed Change in Table of Allotments

It is requested that Section 73.202(b) be amended by the allotment of channel 252C2 to Evanston, Wyoming. Evanston is located in Unita County and has a 1990 U.S. Census population of 10,903 persons. Evanston has one local FM assignment (KOTB, Ch. 291C3) and one local AM assignment (KEVA, 1240 kHz). Therefore, Petitioner's proposal would a second local FM broadcast service and third local aural broadcast service to Evanston. The proposed changes are as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Evanston, Wyoming	291C3	291C3, 252C2

The proposed channel 252C2 reference point is located in excess of 320 km of the nearest point of the U.S.-Canadian border; therefore, coordination with Canada is not necessary.

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to use of channel 252C2 at

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Evanston, Wyoming

Evanston. The Evanston reference coordinates contained in the USGS Geographic Names Information System Population of Places Database (Latitude 41°16'06" North, Longitude 110°57'45" West) have been utilized for distance calculations. As shown, with the exception of the proposed allotment reference coordinates for channel 252C2 at Logan, Utah, the reference coordinates comply with the Commission's minimum distance separation requirements contained in Section 73.207 with respect to all existing, authorized and proposed stations and allotments.

Figure 2 is a map showing the area to locate channel 252C2 at Evanston in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on maximum Class C2 facilities (ERP 50 kW/HAAT 150 m). The Evanston city limits shown on Figure 2 were obtained from a map contained in the 1990 U.S. Census of Population.

Conclusion

Channel 252C2 can be allotted to Evanston, Wyoming in compliance with all applicable Commission Rules.


W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 34237

January 25, 1999

FM SEPARATION STUDY

Job Title : Proposed Ch. 252C2, Evanston, WY

Separation Buffer 32 km

FCC DB Date : 01/15/99

Channel 252C2 (98.3 MHz)

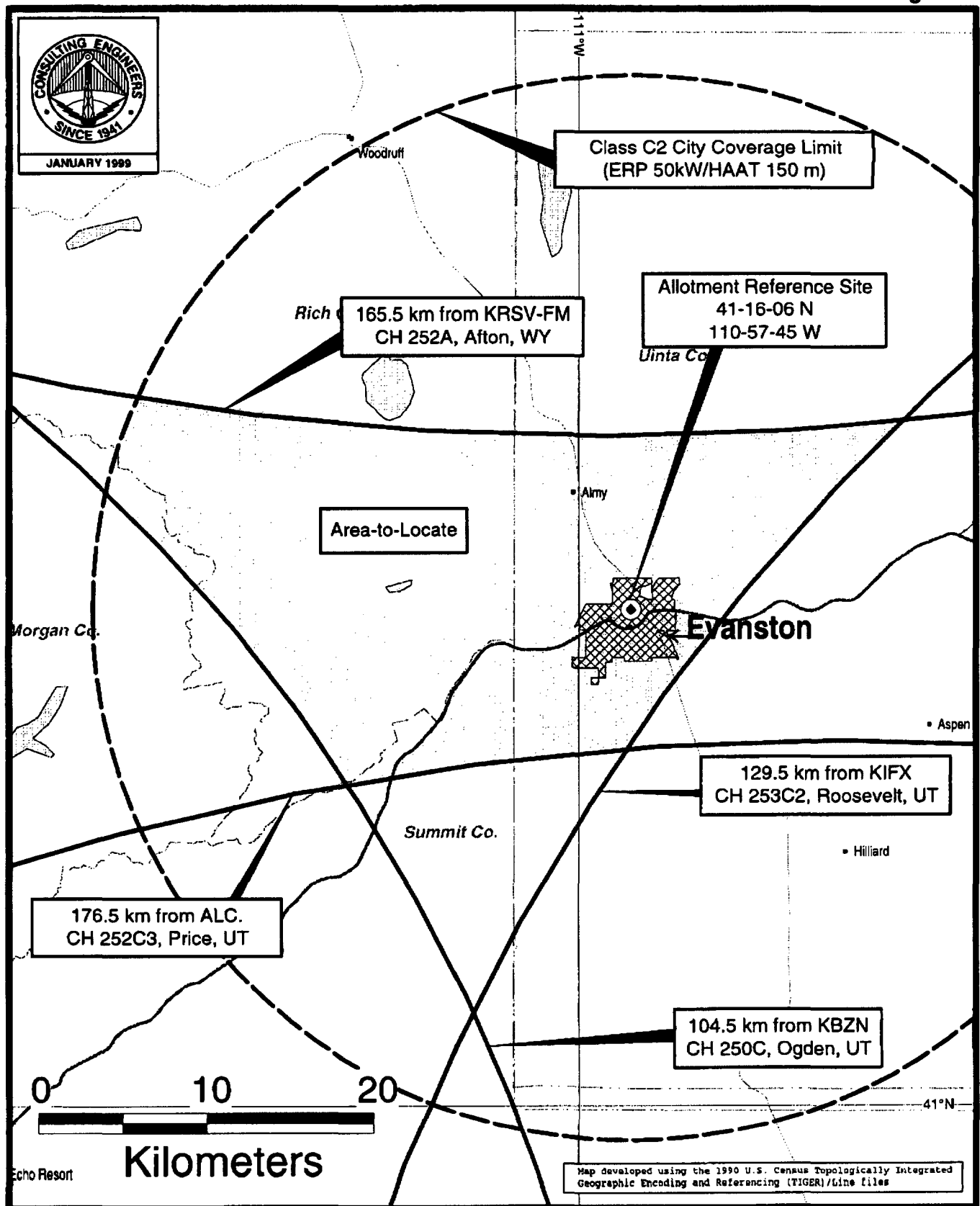
Coordinates : 41-16-06 110-57-45

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
NEW	Franklin		249A	.140	42-04-48	322.4	114.37	55
APP	ID	BPH970814MJ	97.7	10.0	111-48-27	SS	59.37	CLEAR
KBZN-1	Park City		250D	.850	40-51-18	223.5	63.23	0
LIC	UT	BLFTB970925TI	97.9	1011.0	111-28-47		.00	BOOST
Vertical Polarization Only								
KBZN	Ogden		250C	26.0	40-39-35	237.4	124.29	105
LIC	UT	BLH781208AG	97.9	1149.0	112-12-05		19.29	CLEAR
K252AI	Evanston, etc.		252D	.033	41-21-06	27.2	10.42	0
LIC	WY	BLFT790524IX	98.3	558.0	110-54-20		.00	TRANS
TRANSLATOR FOR KRSPFM, SALT LAKE CITY, UT.								
	Logan		252C3		41-42-08	303.8	87.49	177
PADD	UT	RM9349	98.3	.0	111-50-12		-89.51	SHORT ¹
Site restriction 4.3 km South								
K252DI	Salt Lake City		252D	.160	40-48-29	236.9	93.22	0
CP	UT	BPFT950705TD	98.3	560.0	111-53-22		.00	TRANS
Translator For KLZXF, Brigham City, UT								
K252DB	Rural Utah County		252D	.046	40-05-19	209.2	149.79	0
LIC	UT	BLFT900323TD	98.3	712.0	111-49-17		.00	TRANS
TRANSLATOR FOR KSOS, BRIGHAM CITY, UT								
KRSVFM	Afton		252A	3.00	42-51-02	359.5	175.76	166
LIC	WY	BLH861124KC	98.3	-88.0	110-58-46		9.76	CLOSE
*To Channel 254A per Docket 93-166 -- BMLH-941114KC pending; operating on Channel 254								
	Price		252C3		39-36-36	176.1	184.58	177
ALC	UT	Docket89-213	98.3	.0	110-48-52		7.58	CLOSE
Effective 5-18-90-Rsvd for KARB per D89-213								
KARB	Price		252A	3.00	39-36-36	176.1	184.58	166
LIC	UT	BLH7740	98.3	-44.0	110-48-52		18.58	CLEAR
*To Channel 252C3 per D89-213								
KIFX	Roosevelt		253C2	3.2	40-32-16	127.0	133.85	130
LIC	UT	BLH930412KB	98.5	515.0	109-41-57		3.85	CLOSE

** End of separation study for channel 252C2 **

¹ The proposed allotment of channel 252C2 at Evanston is mutually exclusive with the proposed allotment of channel 252C3 at Logan.

Figure 2

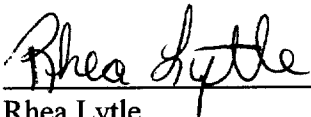
**AREA-TO-LOCATE****CHANNEL 252C2****EVANSTON, WYOMING**

du Treil, Lundin & Rackley, Inc., Sarasota, Florida

CERTIFICATE OF SERVICE

I, Rhea Lytle, do hereby certify that I have this 25th day of January, 1999, mailed by first-class United States mail, postage prepaid, copies of the foregoing "**Comments and Counterproposal**" to the following:

Dale A. Ganske, President
L. Topaz Enterprises, Inc.
5546-3 Century Avenue
Middleton, Wisconsin 53562



Rhea Lytle